

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 07-10-02**

Date Published: September 27, 2007
For Work Week Commencing: October 1, 2007
Commission Meeting: October 2, 2007, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Live audio feed Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio feed link on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. Citizens Telecommunications N2007.9.112 (Scott)

On September 17, 2007, Citizens filed Advice Letter No. MT-07-09, Frontier Business Unlimited Service. The purpose of this filing is to introduce Frontier Business Unlimited Service. This bundle will be available to Business

customers that subscribe to ten or fewer Single Party flat rated Business lines. Citizens requests that this filing become effective on October 18, 2007. Probable motion: Approve Citizens' Advice Letter No. MT-07-09 in Docket N2007.9.112.

2. Qwest Corporation D2001.6.75 (Gary)

Qwest Corporation/First Communications, LLC - TRRO Amendment.

Qwest has filed for approval with this Commission a TRO/TRRO amendment in the docket listed above. The FCC, with the guidance of the United States D.C. Court of Appeals, has redefined what constitutes an unbundled network element (UNE) under Section 251 of the 1996 Telecommunications Act. Specifically, the FCC issued its Triennial Review Order (TRO) effective October 3, 2003. This was followed by the United States D.C. Court of Appeals USTA II decision on March 2, 2004. Finally, the Commission issued its Triennial Review Remand Order (TRRO) on March 11, 2005. The effect of these orders and decision was to remove a number of UNEs from the list of UNEs required to be offered to competitive local exchange carriers (CLECs). These amendments list approximately 30 UNEs which Qwest and the party to this agreement have agreed are no longer required to be offered under Section 251. This amendment was voluntarily negotiated by the parties involved. Probable Motion: Approve the interconnection agreement amendment between Qwest Corporation and First Communications, LLC in D2001.6.75.

3. Qwest Corporation N2007.9.109 (Gary)

On September 17, 2007, Qwest Corporation (Qwest) filed for Commission approval a Multi-State Agreement (MSA) between Qwest and Gap, Inc. (The Gap). Qwest is filing the MSA with the Commission for approval pursuant to Section 2.18 (Large Business Customers With a Multi-State Presence) of its Exchange and Network Service Tariff, and pursuant to the Commission's April 16, 2004, Notice of Commission Action (NCA) in Docket N2003.10.149. As the result of The Gap seeking prices for their services and future service needs, Qwest offered a proposal which was accepted by The Gap. A MSA was executed with The Gap on August 28, 2007. Pursuant to the NCA, Qwest filed the appropriate proprietary cost information. The services purchased by The Gap are available from other competitive carriers in addition to Qwest. Probable Motion: Approve the Qwest Corporation/Gap, Inc. MSA in Docket No. N2007.9.109.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2007.7.77 – CenturyTel of Montana, Inc. and Polson Community Tel, Inc. – Interconnection agreement – Discuss and act on the agreement. (10/2/07)
2. D2007.7.79 – Montana-Dakota Utilities Co. (MDU) – General rate case – Consider and act on MDU's objections to 11 Montana Consumer Counsel data requests. (10/2/07)
3. D2007.4.33 - Firelight Meadows, LLC and HLH, LLC - Joint application for approval of the sale and transfer of all regulated water and waste water assets of Firelight Meadows – Action or direction on joint application. (10/2/07)
4. PSC rulemaking to implement HB 25 – Discuss/act on issuing a Notice of Opportunity to Comment on proposed rules. (10/2/07)

Other Meetings

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. Qwest Corporation N2007.9.113 (Gary)

On September 26, 2007 Qwest Corporation (Qwest) filed for Commission approval a Qwest Line Volume Advantage (QLVA) Agreement between Qwest and BFS Retail and Commercial Operations, LLC (Bridgestone). Qwest also filed required proprietary cost information. Qwest is filing the QLVA with the Commission for approval pursuant to the Qwest Montana Exchange and Network Service Tariff, Section 5.2.13 and the April 16, 2004 Notice of Commission Action in PSC Docket N2003.10.149. The agreement is the result of a RFP out by Bridgestone. Qwest agreed to competitive pricing comparable to that of other providers bidding for the Bridgestone contract.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

1. Montana-Dakota Utilities Co., D2007.7.79 (Jim)

On September 24, 2007, Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., filed a Motion for a Protective Order. The Motion seeks to protect recent information provided by MDU to rating agencies which rate MDU's securities.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

Information Items All items identified below are for information only.

New Filings Received in Past Week

N2007.9.113 – Qwest Corporation and BSF Retail and Commercial Operations,
LLC – Qwest Line Volume Advantage Agreement